

From: Bob Kaufman
To: Microsoft ATR
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Subject: antitrust

Dept of Justice,

The remedies proposed for Microsoft's proven monopolistic and anti competitive behavior are entirely too weak. Look to history as a guide for the proper appropriate response to a trust or monopoly. Have you no spines? These remedies don't even amount to a slap on the hands. Look up what the remedies were for Standard Oil and AT&T after they were proven as monopolists in court. Like Microsoft (MS), they were rich, fought long and hard in court, but were rightly found to be illegal corporations. They were broken up to preserve competition and stop the monopolistic behavior - and their ill-gotten cash gains were removed. All of these steps are crucial.

First, you must remedy the monopoly itself, in this case the suggested solution amounts to the same one used during previous failed attempts to oversee company behavior. Two consent decrees were levied - neither one worked - Microsoft continued (and continues) to tie new features into their operating system at the expense of competitors and consumers. It is time to split Microsoft's OS from direct company control into a new company. Anything less will lead to the same monopolistic behavior that we have seen before and continue to see with the release of Window's XP. MS, with the rushed release of XP, attempts to harm RealAudio by grafting the weak MS streaming media stand alone programs to the pre installed OS that comes on new computers. Thereby foisting one more inferior MS product onto the consumer who wants to buy a new computer but not the MS media players. In the process RealAudio, the key innovator, and maker of the number one media player is hurt - much like what was done supplant the previous number one browser Netscape with inferior new number one MS Explorer. You are fooling yourselves if you think this will change with the current remedy.

Second, you do not let the monopolist use the gains from previous monopolistic behavior to then buy into other industries and continue to profit from the past monopoly. In this, the current remedy is completely lacking. In effect what the latest settlement does is to let MS sit on it's multibillion dollar war chest stolen using the Window's OS monopoly. MS continues to use that cash to buy out promising companies with competing, threatening technologies to protect MS's inferior products. This harms consumers and puts a chill on innovation and leaves MS free to continue to stifle competition. Make an accurate study of the estimated gains from the demonstrated monopoly and remove that cash from MS and return it to consumers. And we are talking billions here not some bargained down fine that is politically palatable.

MS's influence on the peoples elected officials ranges far and wide, but don't doubt for a second that the people will remember those in government that let the worst monopolist of our times off virtually scot-free....again.

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